

Partisan Political Activity Restricted by Law

L. R. Houston

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WARNING TO FEDERAL EMPLOYEES AND EMPLOYEES OF FEDERALLY FINANCED STATE AND LOCAL AGENCIES

Prohibited Political Activities

Serving on or for any political committee, party, or other similar organization, or serving as a delegate or alternate to a caucus or party convention.

Soliciting or handling political contributions.

Soliciting sale of or selling political party dinner tickets.

Serving as officer of a political club, as member or officer of any of its committees, addressing such a club or being active in organizing it.

Serving in connection with preparation for, organizing, or conducting a political meeting or rally, addressing such a meeting, or taking any other active part therein except as a spectator.

Engaging in activity at the polls (at primary or regular elections), such as soliciting votes, assisting voters to mark ballots, or transporting or helping to get out the voters on registration or election days.

Acting as recorder, checker, watcher, or challenger of any party or faction.

Serving in any position of election officer in which partisanship or partisan political management may be shown.

Writing for publication or publishing any letter or article, signed or unsigned, in favor of or against any political party or candidate.

Becoming a candidate for nomination or election to office, Federal, State, county, or municipal, which is to be filled in an election in which party candidates are involved, or soliciting others to become candidates for nomination or election to such offices.

Distributing campaign literature or material.

Initiating or circulating political petitions, including nomination petitions.

Engaging in political conferences, or canvassing a district or soliciting political support for a party, faction, or candidate.

The law is designed to prohibit those subject to it from assuming political leadership or becoming prominently identified with any political movement, party, or faction, or with the success or failure of any candidate for election to public office in a partisan political campaign.

IGNORANCE OF THE LAW WILL NOT EXCUSE A VIOLATION. The above is a list of some but not all the prohibited political activities. Temporary employees and employees on leave of absence are subject to these political-activity restrictions at all times. Persons employed only on a part-time and intermittent basis are subject to the restrictions for the entire twenty-four hours of any day of actual employment. Political activity in connection with municipal, county, State, or National elections, primary or regular, in which political party candidates are involved is prohibited.

All persons within the scope of the political-activity statutes quoted above *must take the responsibility for seeing that their activities are not such as would constitute violations of the restrictions of those statutes.* An employee who is in doubt as to whether any particular activity is prohibited should present the matter in writing to the U. S. Civil Service Commission for consideration, and he should do this *before* engaging in the questionable activity.

Permitted Political Activities

Voting.—The direct language of the law specifically provides that all such persons retain the right to vote as they may choose.

Expression of Opinions.—The right to express political opinions is reserved to all such persons. Note: This reservation is subject to the prohibition that such persons may not take active part in political management or in political campaigns.

Contributions.—It is lawful for any officer or employee to make a voluntary contribution to a regularly constituted political organization, *provided* such contribution is not made in a Federal building or to some other officer or employee within the scope of the above-quoted statutes.

Political Pictures.—It is lawful for any officer or employee to display a political picture in his home if he so desires.

Badges, Buttons, and Stickers.—While it is not unlawful for an officer or employee to wear a political badge or button or to display a political sticker on his private automobile (except where forbidden by local ordinance), it is regarded as contrary to the spirit of the law for a public servant to make a partisan display of any kind, while on duty conducting the public business.

Federal Employee

THE LAW "It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. * * *" (Section 9 (a), Act of August 2, 1939, as amended.)

"Persons employed in the government of the District of Columbia shall be deemed to be employed in the executive branch of the Government of the United States * * *" (Section 14, Act of August 2, 1939, as amended.)

THE PENALTY FOR VIOLATION IS REMOVAL; OR SUSPENSION WITHOUT PAY FOR NOT LESS THAN 90 DAYS, IF WARRANTED.

EXCEPTED POSITIONS. Federal employees serving in positions excepted from the competitive service are subject to the Hatch Act. In these cases enforcement jurisdiction is in the employing agency.

Employees of State, County, and Municipal Agencies That Are Federally Financed

THE LAW "No officer or employee of any State or local agency whose principal employment is in connection with any activity which is financed in whole or in part by loans or grants made by the United States or by any Federal agency shall (1) use his official authority or influence for the purpose of interfering with an election or a nomination for office, or affecting the result thereof, or (2) directly or indirectly coerce, attempt to coerce, command, or advise any other such officer or employee to pay, lend, or contribute any part of his salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes. No such officer or employee shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates * * *" (Section 12 (a), Act of August 2, 1939, as amended.)

THE PENALTY FOR VIOLATIONS IS REMOVAL, IF WARRANTED

ADDITIONAL INFORMATION

Further information may be obtained from the Commission's central office (Washington 25, D. C.), or from any of its regional offices. Regional offices of the Commission are in the following cities: Boston, Mass.; New York, N. Y.; Philadelphia, Pa.; Atlanta, Ga.; Cincinnati, Ohio; Chicago, Ill.; St. Louis, Mo.; Seattle, Wash.; San Francisco, Calif.; Denver, Colo.; and Dallas, Tex.

It is the duty of any person having knowledge of the violation of any of the foregoing provisions of law to submit the facts in writing to the U. S. Civil Service Commission, Washington 25, D. C.

United States Civil Service Commission